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# U.S. sues former mine owners over Silver Creek pollution

By Tillie Fong

News Staff Writer

The U.S. attorney's office has filed suit against the owners of the now-defunct Rico Argentine Mine for dumping pollutants into Silver Creek.

"The U.S. attorney's office will be actively pursuing environmental cases and holding those businesses and companies that are taking advantage of our land," Regina Rodriguez, chief of the civil division with the U.S. attorney's office, said Thursday.

"We're asking that the corporation be responsible for its actions."

The lawsuit was filed in U.S. District Court on behalf of the Environmental Protection Agency and the state attorney general's office.

It charged that President Wayne Webster of Paonia and

Secretary/Treasurer Virginia Sell of Scottsdale, Ariz., had violated the federal Clean Water Act and the Colorado Water Quality Control Act by releasing lead, zinc, copper, cadmium and silver into the creek.

Silver Creek is a tributary of the Dolores River.

State and federal officials are asking for a monetary award, as well as forcing the company to clean up the mess.

The company had operated the mine, near Telluride and Rico, since June 1988 after buying it from Anaconda. The mine was abandoned Sept. 1, 1996.

Rodriguez says the company had a permit from the state to discharge its treated wastewater.

The lawsuit charges the company failed to monitor and report discharges that were in violation of the permit, during the life of the permit and after its expiration.

# Beaver dam sends EPA to Rico mine

## Blocked holding pond threatened trout river

By **Berny Morson** **APR 22 2000**

*News Staff Writer*

The Environmental Protection Agency dispatched an emergency worker to Rico last week, where beavers were creating an environmental disaster.

The toothy rodents had built a dam across the culvert that drains a settling pond holding acidic water from the abandoned Argentine Mine. Now the pond threatens to overflow, polluting the Dolores River, a popular trout stream in the far western part of Colorado.

Mine owner Wayne, Webster of Athens, Texas, says the real problem is environmentalists, not beavers.

"Environmentalists are the ones who said, 'Don't wear a fur coat,'" said Webster, who has owned the property since 1988.

"There are so many beavers that they're damming everything up there," he said. "We have to get rid of the beavers."

EPA on-site emergency coordinator Tien Nguyen said Friday that water was "very close" to the top of the dike separating the one-acre pond from the river.

Nguyen was dispatched to Rico after federal magistrate Boyd Boland issued a warrant Thursday to

enter the property

Nguyen arranged with a private contractor to clean up the area.

Rico City Manager Eric James Heil said the beaver dams wouldn't be a problem if Webster maintained his property.

Webster, 81, said he hasn't been to Rico in four years because he has a heart condition and can't take Rico's 9,000-foot elevation.

The federal government last July sued Webster, who hasn't kept up the property for about four years. In addition to fines, Webster could be billed for Nguyen's trip to Rico and the cleanup.

"I'm not going to pay it," Webster said. "They're always filing suits."